

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

XINJIE WANG,

Defendant.



24-CR-121-LJV-JJM
DECISION & ORDER

1. On September 20, 2024, the defendant, Xinjie Wang, pleaded guilty to the one-count information charging a violation of Title 8, United States Code, Section 1326(a) and (b)(1) (re-entry of removed alien). Docket Item 15.

2. On September 20, 2024, the Honorable Jeremiah J. McCarthy, United States Magistrate Judge, filed a Report & Recommendation recommending that the defendant's plea of guilty be accepted and that the defendant be adjudged guilty. Docket Item 17.

3. This Court has not received objections to the Report & Recommendation in accordance with Title 28, United States Code, Section 636(b)(1), and Rule 59(b) of the Federal Rules of Criminal Procedure, and the time to object now has expired.

4. This Court has carefully reviewed *de novo* Judge McCarthy's Report & Recommendation (Docket Item 17), the plea agreement (Docket Item 15), the information (Docket Item 14), a transcript of the plea proceeding (Docket Item 18), and the applicable law.

5. The Court adopts Judge McCarthy's recommendation that the defendant's plea of guilty be accepted and that the defendant be adjudged guilty of the one-count information.

IT IS HEREBY ORDERED that this Court adopts Judge McCarthy's September 20, 2024 Report & Recommendation, Docket Item 17, in its entirety, including the authorities cited and the reasons given therein, and it is further

ORDERED that the Court accepts the defendant's plea of guilty and defers acceptance of the plea agreement pursuant to Sentencing Guidelines Section 6B1.1(c), and the defendant, Xinjie Wang, is now adjudged guilty under Title 8, United States Code, Section 1326(a) and (b)(1).

SO ORDERED.

Dated: October 24, 2024
Buffalo, New York


LAWRENCE J. VILARDO
UNITED STATES DISTRICT JUDGE